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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
OLAES ENTERPRISES, INC., d/b/a ODM,

Plaintiff,

-against-

A.D.SUTTON & SONS, INC., BIO WORLD
MERCHANDISING, INC., d/b/a BIO DOMES HEADGEAR,
BOSTON AMERICA CORP., BRIEFLY STATED, INC., W.R.
CASE & SONS CUTLERY, CLEAN FUN PROMOTIONAL
MARKETING, INC., C-LIFE GROUP, LTD., COFFEE
LEGENDS, INC., DESPERATE ENTERPRISES, INC.,
EVANDALE GIFTS LLC, HORIZON NY INC., HOUSTON
HARVEST INC., INNOVATIVE DESIGNS LLC, KOLDER,
INC., STRETCH-0-RAMA, INC., d/b/a LONGSTREET,
UNISYSTEMS, NC., d/b/a MODERN PUBLISHING,
PLASTICOLOR MOLDED PRODUCTS, INC., ROBISON'S,
INC., d/b/a POWER TRIP, SPECTORE CORP.,
TECHNICRAFT INDUSTRIES, INC., THE HUT LLC,
VENDING SUPPLY, INC., WHITESIDE MANUFACTURING
COMPANY, and YOU AND ME LEGWEAR LLC,

Defendants-Counterclaim Plaintiffs,

-against-

ORANGE COUNTY CHOPPERS, INC., ORANGE COUNTY
CHOPPERS MERCHANDISING LLC, and ORANGE COUNTY
CHOPPERS LICENSING LLC,

Counterclaim Defendants
-----X.

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**ORDER DISMISSING
BIOWORLD
MERCHANDISING, INC
d/b/a BIO DOMES
HEADGEAR WITH
PREJUDICE
PURSUANT TO
FED. R. CIV. P. 41(a)(2)**

Upon the Motion by Olaes Enterprises, Inc., d/b/a ODM, pursuant to Fed. R. Civ. Proc 41(a)(2), defendant BIOWORLD MERCHANDISING, INC d/b/a BIO DOMES HEADGEAR ("BIOWORLD") is hereby dismissed with prejudice.

The counterclaim for indemnification by BIOWORLD as to or against Orange County Choppers Merchandising LLC, Orange County Choppers, Inc. and Orange Choppers Licensing LLC is not dismissed.

Dated: _____, 2009

1/4/2010

SO ORDERED


United States District Judge